

## **CLAIMS**

Claim 1 (Currently Amended): A ready-to-use food product being suitable for storage in a container, said product comprising:

a batter;

at least one leavening agent; and,

at least one oil;

wherein, said oil separates said batter and leavening agent while ~~in storage~~ stored in said container, and agitation causes said batter, leavening agent and oil to at least partially admix.

Claim 2 (Original): The product of Claim 1, wherein said batter is generally acidic.

Claim 3 (Original): The product of Claim 2, wherein said at least one leavening agent is generally alkaline.

Claim 4 (Original): The product of Claim 1, wherein said batter has a pH of below about 5.

Claim 5 (Original): The product of Claim 1, wherein said batter has a pH of about 4.

Claim 6 (Original): The product of Claim 1, wherein said batter has a pH of about 3.5.

Claim 7 (Currently Amended): The product of Claim 1, wherein ~~at least one~~ said at least one leavening agent is at least partially ~~encapsulated~~ coated.

Claim 8 (Currently Amended): The product of Claim 7, wherein said at least partially encapsulated leavening agent is at least partially ~~encapsulated~~ coated with a fatty material.

Claim 9 (Currently Amended): The product of Claim 7, wherein said at least partially encapsulated leavening agent is at least partially ~~encapsulated~~ coated with an edible fat, wax, or hydrogenated vegetable oil.

Claim 10 (Currently Amended): The product of Claim 1, wherein said leavening agent is generally alkaline and further comprises a plastic hydrogenated shortening and a fat as an at least partial ~~encapsulating~~ coating material.

Claim 11 (Original): The product of Claim 1, wherein said leavening agent comprises sodium bicarbonate.

Claim 12 (Currently Amended): The product of Claim 1, wherein, when stored in said container, said oil forms a layer separating said batter and said at least one leavening agent.

Claim 13 (Currently Amended): The product of Claim 12, wherein, when ~~in storage~~ stored in said container, said oil layer is above at least a portion of said batter, and at least a portion of said at least one leavening agent is above said oil layer.

Claim 14 (Currently Amended): The product of Claim 12, wherein, when ~~in storage~~ stored in said container, said oil layer is interposed between said batter and leavening agent.

Claim 15 (Currently Amended): The product of Claim 12, wherein, when ~~in storage~~ stored in said container, said oil layer separates from said batter.

Claim 16 (Currently Amended): The product of Claim 15, wherein, when ~~in storage~~ stored in said container, at least a portion of said leavening agent is immersed in said oil layer.

Claim 17 (Original): The product of Claim 1, wherein said batter comprises flour.

Claim 18 (Original): The product of Claim 17, wherein said batter further comprises sugar.

Claim 19 (Original): The product of Claim 18, wherein said batter further comprises eggs.

Claim 20 (Original): The product of Claim 19, wherein said batter comprises at least one milk solid.

Claim 21 (Original): The product of Claim 1, wherein said batter further comprises an edible, fungistatic agent.

Claim 22 (Original): The product of Claim 21, wherein said fungistatic agent comprises sorbic acid.

Claim 23 (Original): The product of Claim 1, wherein said batter comprises at least one nutritional supplement.

Claim 24 (Original): The product of Claim 23, wherein said at least one nutritional supplement comprises at least one of thiamin, riboflavin, niacin, iron and calcium.

Claim 25 (Original): The product of Claim 1, wherein said batter further comprises at least one textural agent.

Claim 26 (Original): The product of Claim 25, wherein said at least one textural agent is selected from the group consisting of fats, emulsifiers and hydrocolloids.

Claim 27 (Original): The product of Claim 1, wherein said batter comprises one or more flavorings.

Claim 28 (Original): The product of Claim 1, wherein said batter further comprises one or more preservatives.

Claim 29 (Original): The product of Claim 28, wherein said one or more preservatives are selected from the group consisting of : sodium salts of propionic or sorbic acids, sodium diacetate, vinegar, monocalcium phosphate, and lactic acid.

Claim 30 (Original): The product of Claim 1, wherein said leavening agent comprises an encapsulated acidulant selected from the group consisting of monocalcium phosphate, monocalcium phosphate anhydrous, sodium acid pyrophosphate, sodium aluminum pyrophosphate, dicalcium phosphate dihydrate, dicalcium phosphate, sodium aluminum sulfate, glucon-delta-lactone, potassium hydrogen tartrate.

Claim 31 (Original): The product of Claim 1, wherein said leavening agent comprises an encapsulated acidulant comprising a baking acid.

Claim 32 (Currently Amended): The product of Claim 1, wherein, when stored in said container, said oil forms droplets encompassing a portion of said leavening agent, and said droplets isolate said at least one leavening agent from said batter.

Claim 33 (Original): The product of Claim 1, when said product is used to produce a baked food product, pancake, bread, brownie, muffin, cookie, donut, pastry, pie, or cake.

Claim 34 (Original): A method for preparing a storable culinary product, said method comprising:

adding an aqueous unleavened batter having an effective pH below about 5.5 to a container;

forming a layer of oil above the aqueous acidified batter in said container; and,

adding an edible alkaline leavening agent above said oil layer within said container, said leavening agent being encapsulated in a normally water-insoluble, edible material, and in a quantity sufficient to raise the batter upon cooking into a final cooked culinary product.

Claim 35 (Original): The method of Claim 34, wherein said alkaline leavening agent comprises sodium bicarbonate.

Claim 36 (Original): The method of Claim 34, wherein the edible material encapsulating said leavening agent comprises an edible fat, wax, or hydrogenated vegetable oil.

Claim 37 (Original): The method of Claim 34, wherein said edible material comprises a plastic hydrogenated shortening and a fat.

Claim 38 (Original): The method of Claim 34, further comprising adding an edible fungistatic agent to said batter.

Claim 39 (Original): The method of Claim 38, wherein the edible fungistatic agent comprises sorbic acid.

Claim 40 (Original): The method of Claim 34, wherein said pH of said batter is in a range of about 3.9 to about 5.5.

Claim 41 (Original): The method of Claim 34, wherein said batter comprises a mixture of flour, eggs, sugar and milk solids.

Claim 42 (Original): A method for preparing a storable culinary product, said method comprising:

forming an aqueous unleavened batter;

adding an edible acid to said batter so as to lower a pH of said batter to below about 5.5;

placing said batter in a container;

forming a layer of oil above the aqueous, acidified batter in said container; and,

adding an edible alkaline leavening agent to said oil layer;

wherein, said leavening agent is encapsulated in a normally water-insoluble edible material, and is in a quantity sufficient to raise the batter upon cooking into a final cooked culinary product.

Claim 43 (Original): The method of Claim 42, wherein said alkaline leavening agent comprises sodium bicarbonate.

Claim 44 (Original): The method of Claim 42, wherein the edible material encapsulating said leavening agent comprises an edible fat, wax or hydrogenated vegetable oil.

Claim 45 (Original): The method of Claim 42, wherein said edible material comprises a plastic hydrogenated shortening and a fat as the encapsulating material.

Claim 46 (Original): The method of Claim 42, further comprising adding an edible fungistatic agent to said batter.

Claim 47 (Original): The method of Claim 46, wherein the edible fungistatic agent comprises sorbic acid.

Claim 48 (Original): The method of Claim 42, wherein said pH of said batter is in a range of about 3.9 to about 5.5.

Claim 49 (Original): The method of Claim 42, wherein said batter comprises a mixture of flour, eggs, sugar and milk solids.



Claim 50 (Original): A method for preparing a storable culinary product, said method comprising:

forming an aqueous unleavened batter;

adding an edible acid to said batter so as to lower a pH of said batter to below about 5.5;

placing said batter in a container;

forming a layer of oil above the aqueous, acidified batter in said container; and

adding an edible alkaline leavening agent to said oil layer;

wherein, said alkaline leavening agent is micronized to a sufficiently small particle size so as to enable the leavening agent to remain substantially dispersed and suspended within the oil layer, and said alkaline leavening agent is in a quantity sufficient to raise the batter upon cooking into a final cooked culinary product.

Claim 51 (Original): The method of Claim 50, wherein said alkaline leavening agent comprises sodium bicarbonate.

Claim 52 (Original): The method of Claim 50, further comprising adding an edible fungistatic agent to said batter.

Claim 53 (Original): The method of Claim 52, wherein the edible fungistatic agent comprises sorbic acid.

Claim 54 (Original): The method of Claim 50, wherein said pH of said batter is in a range of about 3.9 to about 5.5.

Claim 55 (Original): The method of Claim 50, wherein said batter comprises a mixture of flour, eggs, sugar and milk solids.

Claim 56 (Original): A method for preparing a storable culinary product, said method comprising:

forming an aqueous unleavened batter;

adding an edible acid to said batter so as to lower a pH of said batter to below about 5.5;

placing said batter in a container;

forming a layer of oil above the aqueous, acidified batter in said container; and

adding an encapsulated edible alkaline leavening agent and encapsulated acidulant each of a sufficiently small particle size to enable the leavening agent and encapsulated acidulant to remain substantially dispersed and suspended within the oil layer, to said oil layer;

wherein, said alkaline leavening agent is in a quantity sufficient to raise the batter upon cooking into a final cooked culinary product.

Claim 57 (Original): The method of Claim 56, wherein said alkaline leavening agent comprises sodium bicarbonate.

Claim 58 (Original): The method of Claim 56, wherein said encapsulated acidulant comprises a leavening acid selected from the group consisting of monocalcium phosphate (MCP), monocalcium phosphate anhydrous (AMCP), sodium acid pyrophosphate (SAPP), sodium aluminum pyrophosphate (SALP), dicalcium phosphate dihydrate (DPD), dicalcium phosphate (DCP), sodium aluminum sulfate (SAS), glucon-delta-lactone (GDL), potassium hydrogen tartrate (cream of tartar) and baking acid.

Claim 59 (Original): The method of Claim 58, further comprising adding an edible fungistatic agent to said batter.

Claim 60 (Original): The method of Claim 59, wherein the edible fungistatic agent comprises sorbic acid.

Claim 61 (Original): The method of Claim 59 wherein said pH of said batter is in a range of about 3.9 to about 5.5.

Claim 62 (Original): The method of Claim 56, wherein said batter comprises a mixture of flour, eggs, sugar and milk solids.

Claim 63 (Original): A method for preparing a storable culinary product, said method comprising:

forming an aqueous unleavened batter;

adding an edible acid to said batter so as to lower a pH of said batter to below about 5.5;

placing said batter in a container;

forming a layer of oil above the aqueous, acidified batter in the container; and, adding an encapsulated edible alkaline leavening agent and encapsulated acidulant above said oil layer in said container.

Claim 64 (Original): The method of Claim 63, wherein said alkaline leavening agent comprises sodium bicarbonate.

Claim 65 (Original): The method of Claim 63, wherein said encapsulated acidulant comprises at least one leavening acid selected from the group consisting essentially of monocalcium phosphate (MCP), monocalcium phosphate anhydrous (AMCP), sodium acid pyrophosphate (SAPP), sodium aluminum pyrophosphate (SALP), dicalcium phosphate dihydrate (DPD), dicalcium phosphate (DCP), sodium aluminum sulfate (SAS), gluconolactone (GDL), potassium hydrogen tartrate (cream of tartar) and baking acid.

Claim 66 (Original): The method of Claim 65, further comprising adding at least one edible fungistatic agent to said batter.

Claim 67 (Original): The method of Claim 66, wherein said at least one edible fungistatic agent comprises sorbic acid.

Claim 68 (Original): The method of Claim 63, wherein said pH of said batter is in a range of about 3.9 to about 5.5.

Claim 69 (Original): The method of Claim 63, wherein said batter comprises a mixture of flour, eggs, sugar and milk solids.

Claim 70 (Original): The method of claim 69, wherein said encapsulated alkaline leavening agent is sized below about 250 microns.

Claim 71 (Original): A method for providing a food product, said method comprising:

- providing a container;

- placing an unleavened batter into said container;

- placing at least one leavening agent into said container; and,

- placing at least one oil into said container;

wherein, when at rest, said at least one oil forms at least one layer in said container effectively isolating said batter from said at least one leavening agent.

Claim 72 (Original): The method of Claim 71, wherein said batter is a generally acidic.

Claim 73 (Original): The method of Claim 71, wherein, when agitated, said at least one leavening agent oil and batter mix.

Claim 74 (Original): The method of claim 70, wherein said method is used to produce a baked food product, pancake, bread, brownie, muffin, cookie, donut, pastry, pie or cake.

Claim 75 (Currently Amended): A food product comprising:

a batter;

oil; and,

at least one leavening agent;

wherein, when stored in a container, in a first state said oil substantially isolates said at least one leavening agent from said batter, and in a second state, said at least one leavening agent, oil and batter are at least partially admixed.

Claim 76. (Original): The product of Claim 75, wherein agitating said container transforms said batter, oil and leavening from said first state to said second state.

Claim 77. (Original): The product of Claim 75, wherein, at rest, said at least one leavening agent, oil and batter are normally in said first state.

Claim 78. (Original): The product of Claim 75, wherein said batter is generally acidic.

Claim 79. (Original): The product of Claim 78, wherein said batter has a pH of below about 5.

Claim 80. (Currently Amended): The product of Claim 75, wherein said at least one leavening agent is at least partially ~~encapsulated~~ coated.

Claim 81. (Currently Amended): The product of Claim 80, wherein said at least partially encapsulated leavening agent is at least partially ~~encapsulated~~ coated with a fatty material.

Claim 82. (Currently Amended): The product of Claim 80, wherein said at least partially encapsulated leavening agent is at least partially ~~encapsulated~~ coated with an edible fat, wax, or hydrogenated vegetable oil.

Claim 83. (Original): The product of Claim 75, wherein said leavening agent comprises sodium bicarbonate.

Claim 84. (Original): The product of Claim 83, wherein said leavening agent is at least partially encapsulated using a plastic hydrogenated shortening and a fat.

Claim 85. (Original): The product of Claim 75, wherein said oil forms a layer substantially separating said batter and at least one leavening agent.

Claim 86. (Original): The product of Claim 85, wherein, in said first state, said oil layer is above at least a portion of said batter, and at least a portion of said at least one leavening agent is above said oil layer.

Claim 87. (Original): The product of Claim 85, wherein, in said first state, said oil layer is generally interposed between said batter and leavening agent.

Claim 88. (Original): The product of Claim 85, wherein, in said first state, said oil layer generally separates from said batter.

Claim 89. (Original): The product of Claim 85, wherein, in said first state, at least a portion of said leavening agent is immersed in said oil layer.

Claim 90. (Original): The product of Claim 75, wherein said leavening agent comprises an encapsulated acidulant selected from the group consisting of monocalcium phosphate, monocalcium phosphate anhydrous, sodium acid pyrophosphate, sodium aluminum pyrophosphate, dicalcium phosphate dihydrate, dicalcium phosphate, sodium aluminum sulfate, gluconolactone, potassium hydrogen tartrate.

Claim 91. (Original): The product of Claim 75, wherein said leavening agent comprises an encapsulated acidulant comprising a baking acid.



Claim 92. (Original): The product of Claim 75, wherein said oil forms droplets each encompassing at least a portion of said leavening agent, and said droplets isolate said at least one leavening agent from said batter.

Claim 93. (Original): The product of claim 75, wherein said oil, leavening agent and batter in said second state, automatically transforms to said first state over time.

Claim 94. (Original): The method of Claim 75, wherein said food product is used to produce a baked food product, pancake, bread, brownie, muffin, cookie, donut, pastry, pie or cake.